IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

LETTERS PATENT APPEAL No 151 of 1998
in
SPECIAL CIVIL APPLICATION No 421 of 1998

For Approval and Signature:

HON'BLE MR.JUSTICE B.J.SHETHNA
and
HON'BLE MR.JUSTICE SHARAD D.DAVE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

ASHOK P PATEL

Versus

STATE OF GUJARAT

Appearance:

1. LETTERS PATENT APPEAL No. 151 of 1998
MR AJ SHASTRI for Appellant No. (absent)
MR HD DAVE AGP for Respondent No. 1
MR JR NANAVATI for Respondent No. 2
RULE SERVED for Respondent No. 3-4

CORAM : HON'BLE MR.JUSTICE B.J.SHETHNA
and

HON'BLE MR.JUSTICE SHARAD D.DAVE

Date of decision: 30/11/2004

ORAL JUDGEMENT

(Per : HON'BLE MR.JUSTICE B.J.SHETHNA)

This is an appeal of 1998. It is listed on our running final hearing board dated 23.11.2004 at Sr. No.36. Endorsement shows that this matter is listed for the 39th time. When it was called out at 3.10 p.m., no one was present for appellants. Learned Senior Advocate, Mr.J.R.Nanavati for the respondent No.2-Corporation was present. He, therefore, submitted that the learned Single Judge was right in dismissing the writ petition filed by the appellants-petitioners and no interference is called for by this court. However, in absence of learned counsel, Mr.Shastri for the appellant, the matter cannot be decided on merits. Except dismissing the appeal in absence of learned counsel Mr.Shastri for the appellant no other order can be passed. Hence, dismissed for default.

(B.J.Shethna, J.)

(Sharad D. Dave, J.)

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